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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,652	07/25/2003	Scott Basyl Johnston	A4Z01	1402

7590 04/19/2005

Mr. Scott Johnston  
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EXAMINER

WRIGHT, ANDREW D

ART UNIT	PAPER NUMBER
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3617

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

***Supplemental Notice of Non-Compliant Amendment (37 CFR 1.121)***

1. A non-final rejection was mailed by the Office to applicant on 9/17/04.

Applicant's response received 12/16/04 failed to comply with numerous provisions of 37 CFR 1.121. A Notice of Non-Complaint Amendment was mailed by the Office on 1/18/05. The Notice gave a one-month time period for reply. The Notice listed only a single issue of non-compliance, and did not notify applicant of all of the issues of non-compliance. Applicant responded to the Notice with three replies, the first received on 1/27/05, the second received on 2/3/05, and the third received on 2/17/05. The replies, taken together, did not bring the amendment into compliance with 37 CFR 1.121. Accordingly, a second Notice of Non-Compliant Amendment was mailed on 4/4/05. The second Notice did not restart the time period for reply. It has come to the examiner's attention that neither the first nor second Notice, alone or together, informed applicant of all of the reasons for non-compliance. **Accordingly, this Notice supercedes the previous Notices dated 1/18/05 and 4/4/05.**

2. The reply filed on 12/16/04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the drawings are not labeled "Replacement Sheet" per 37 CFR 1.121(d); the claims do not include a complete listing of all claims ever presented per 37 CFR 1.121(c); and the claims do not have status identifiers per 37 CFR 1.121(c). See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the

omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

3. To resolve the problem, applicant should resubmit the response as follows.

a. The text of cancelled claims 1 through 16 does not need to be listed and shown with strike-through. Cancelled claims can be listed simply as:

1. – 16. (Cancelled)

b. The text of new claims 17 through 32 should be preceded by a status identifier:

17. (New) A sign for displaying...

18. (New) A sign according to claim 17 in which...

c. Each drawing sheet should have the label "Replacement Sheet".

4. It is suggested that applicant use a Certificate of Transmission if responding by facsimile. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually

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depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

### **Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

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5. Any inquiry concerning this communication should be directed to examiner Andrew D. Wright at telephone number 571-272-6690. The examiner can normally be reached Monday-Friday from 9:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S. Joe Morano, can be reached at 571-272-6684. The fax number for official communications is 703-872-9306. The fax number directly to the examiner for unofficial communications is 571-273-6690.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrew D. Wright  
Patent Examiner  
Art Unit 3617

ANDREW D. WRIGHT  
PRIMARY EXAMINER

*AW* 4/15/05